

POLICY

Approved by: Rebecca R. Hunter, Commissioner	Policy Number: 12-030 (Rev. 1/16)
Signature: <i>Rebecca R. Hunter</i>	Supersedes: 11-038; 12-030
Application: Executive Branch Agencies, Human Resource Officers	Effective Date: August 1, 2013
Authority: T.C.A. § 4-3-1703, T.C.A. § 8-30-104, T.C.A. § 8-30-207	Rule: Chapter 1120-04

Subject:

Positions Approved for In-Range Hiring

The Department of Human Resources (Department) policy entitled *Salaries for Preferred Employees*, allows for in-range hiring when certain positions within a job classification are difficult to fill due to higher than normal turnover, shortage of qualified applicants, or other market driven factors as determined by Department. In-range hiring approval is designed to serve as an incentive to attract qualified applicants to these positions.

When filling a vacant position in a job classification or a subset of positions within a job classification approved for in-range hiring, the hiring agency must follow standard preferred service appointment processes. In notifying applicants on a referral list, the interview invitations must indicate the approved starting in-range salary rate. In addition, the hiring agency is required to advise all applicants that, if selected, the individual will be required to sign an awareness statement which details the salary effect of any movement from a position with in-range hiring.

Voluntary and Involuntary Movement from a Position with In-Range Hiring

When an employee who was hired into a position approved for in-range hiring and who is later voluntarily or involuntarily moved to a position that does not have in-range approval, the employee's appointing authority may submit written justification to the Department requesting the employee's salary be maintained at the higher level. The request must be based on job related knowledge, skills, abilities, competencies, or other job specific reasons. The Department will have final approval on such requests. When the voluntary or involuntary move results in a demotion, the employee's salary will be reduced based on standard salary policy.

When in-range hiring rates are required because of a legal requirement, normal salary policy will be used for promotions and demotions within the agency.

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Examples

1. An employee voluntarily promoted from a position with in-range hiring approval to a position without in-range hiring approval:

An applicant is hired as a DCS Case Manager 1, a position approved for in-range hiring at the third (3rd) step in the salary range. This employee accepts a promotion to a job classification in another department and is offered the position. Because this employee received a two-step in-range hiring incentive for the DCS Case Manager position, the employee's salary must be reduced by an amount equal to the two (2) steps before being promoted using the state's promotional salary policy.

2. An employee is reclassified from a position with in-range hiring approval to a position in a different classification with the same salary grade but without in-range hiring approval:

An applicant is hired into a position with a salary grade 018 with in-range hiring approval. With in-range hiring, the applicant received an additional one-step salary increase. This employee applies for a position in another job classification with a salary grade of 018. Because this employee received a one-step in-range hiring incentive for the position approved for in-range hiring, this employee's salary must be reduced by an amount equal to the one (1) step received before being reclassified and moved to the new job classification. Because the salary grades for both job classifications are the same, the employee may not be eligible for an increase in salary.

2. An employee transfers from a position with in-range hiring approval to a position in the same classification without in-range hiring approval:

An applicant is hired into a Clerk 2 position that was approved for in-range hiring. With in-range hiring, the applicant received an additional one-step salary increase. This employee applies for transfer to a Clerk 2 position that does not have in-range hiring approval. Because this employee received a one-step in-range hiring incentive for the position approved for in-range hiring, this employee's salary must be reduced by an amount equal to one (1) step before being transferred to the new Clerk 2 position.

Questions regarding this policy may be directed to the Agency Resource Center (ARC).